

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MHB LEASING, INC.,

Plaintiff,

vs.

Case No. 05-CV-73813
HON. GEORGE CARAM STEEH

AUTOCRAFT INDUSTRIES, INC., and
AFTERMARKET TECHNOLOGY CORP.,

Defendants.

_____ /

ORDER DISMISSING OCTOBER 7, 2005 SHOW CAUSE ORDER (#4)

On October 7, 2005, defendants were ordered to show cause by October 21, 2005 why this case should not be remanded to state court for lack of federal subject matter jurisdiction in the absence of allegations sufficient to ascertain defendants Autocraft Industries, Inc.'s ("All") and Aftermarket Technology Corp.'s ("ATC") principal places of business and, thus, establish complete diversity. See 28 U.S.C. § 1332(a)(1); JP Morgan Chase Bank v. Traffic Steam (BVI) Infrastructure Ltd., 536 U.S. 88, 91 (2002). Defendants filed a response on October 21, 2005 alleging each is a Delaware corporation, with All's principal place of business being in Oklahoma, and ATC's principal place of business being in Illinois. Plaintiff alleges it is a Michigan corporation with its principal place of business in Michigan. Defendants have thus shown cause by alleging sufficient facts to establish complete diversity in this lawsuit. See Owen Equipment and Erection Co. v. Kroger, 437 U.S. 365, 373 (1978). Accordingly,

The court's order requiring defendants to show cause is hereby DISMISSED.

SO ORDERED.

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: October 24, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on October 24, 2005, by electronic and/or ordinary mail.

s/Marcia Beauchemin

Deputy Clerk